

BERNSTEIN LITOWITZ BERGER & GROSSMANN LLP
ATTORNEYS AT LAW
NEW YORK • CALIFORNIA • LOUISIANA • ILLINOIS

TIMOTHY A. DELANGE
timothyd@blbglaw.com
(858) 720-3186

January 26, 2018

VIA ECF

The Honorable Jesse M. Furman
Thurgood Marshall
United States Courthouse
40 Foley Square, Courtroom 1105
New York, NY 10007

Re: *BlackRock Balanced Capital Portfolio (FI), et al. v. Deutsche Bank Nat'l Trust Co., et al.*, Case No. 14-cv-09367-JMF (S.D.N.Y.)

Dear Judge Furman:

We write on behalf of Plaintiffs in the above-referenced action to inform the Court of the attached decision in *Deutsche Bank National Trust Co. v. Morgan Stanley Mortgage Capital Holdings LLC*, No. 1:14-cv-03020-KBF (S.D.N.Y. Jan. 25, 2018), ECF No. 145. See Exhibit 1. This decision is relevant to Plaintiffs' pending motion for the use of sampling evidence. See ECF No. 393.

Respectfully submitted,



Timothy A. DeLange

cc: All Counsel of Record (via ECF)

